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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/035,478	10/25/2001	Helmut Windl	071308.0416	3740

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Houston, TX 77002-4995

EXAMINER

HANNE, SARA M

ART UNIT PAPER NUMBER

2179

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/035,478	Applicant(s) WINDL ET AL.	
	Examiner Sara M Hanne	Art Unit 2179	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. In response to the amendment filed on 6/23/04, Claims 1-12 are pending in this application. Examiner notes Claims 1, 2 and 6-8 have been amended and Claims 11-12 are newly presented.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-10 are rejected under 35 U.S.C. 102(b) as being anticipated by Li et al., US Patent 5740389.

As in Claims 1 and 6, Li et al. teaches a computer program method and apparatus to drive a processor with a graphics display device for configuring automation equipment comprising displaying selectable images representative of the modules and permitting selection of displayed module images (ref. 100, Fig. 3 and corresponding text), displaying a register dialog having a concealed portion (Col 6-30 are concealed in Fig. 3A and 3B) and a visible portion (Ref. 101, Col. 1-5, Fig. 3A and 3B), providing a drag procedure to the visible portion of the register dialog (Fig. 3B) that automatically brings the concealed portion of the register dialog to the foreground (Fig 3C, Column 4, lines 16-19) after a variable amount of time to display it's contents (time in order to bring

desired Col. Into the display changes depending on when the user finds target position 107).

As in Claims 2, 4, 7 and 9, Li et al. further teaches moving a mouse cursor (dragging) over a register of a concealed register dialog once a drop-and-drag action has been initiated moving the register automatically to the foreground (Column 4, lines 15-24) so that it is visible (see rejection *supra*).

As in Claims 3 and 8, Li et al. teaches the step of providing moves the concealed register after a predetermined variable time interval (it takes a predetermined amount of time to detect that the icon 103 is hitting the boundary of the target window and finding the target position, variably according to which Col is to be the selected destination).

As in Claims 5 and 10, Li et al. teaches the drop procedure to be done during a registered dialog in a single closed handling sequence (Fig. 4a-d and corresponding text).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Li et al., US Patent 5740389, and further in view of Hemenway et al., US Patent 5638505.

Li et al. teaches a computer program method and apparatus to drive a processor with a graphics display device for configuring automation equipment comprising displaying selectable images representative of the modules and permitting selection of displayed module images (ref. 100, Fig. 3 and corresponding text), displaying a register dialog having a concealed portion (Col 6-30 are concealed in Fig. 3A and 3B) and a visible portion (Ref. 101, Col. 1-5, Fig. 3A and 3B), providing a drag procedure to the visible portion of the register dialog (Fig. 3B) that automatically brings the concealed portion of the register dialog to the foreground (Fig 3C, Column 4, lines 16-19) after a variable amount of time to display it's contents (time in order to bring desired Col. Into the display changes depending on when the user finds target position 107). While Li et al. teaches selectable images representing modules with a register dialog capable of receiving the modules thereby automatically bringing concealed portions of the dialog to the foreground, they fail to show the marking all possible drop locations as recited in the claims. In the same field of the invention, Hemenway et al. teaches a automation interface similar to that of Li et al. In addition, Hemenway et al. further teaches selection of a displayed module image (object icons) marking all possible drop locations (Visual feedback: "Drop allowed") thereby indicating possible drop locations for the user (Column 10, line 54 – Column 11, line 4). It would have been obvious to one of ordinary skill in the art, having the teachings of Li et al. and Hemenway et al. before him at the time the invention was made, to modify the selectable images representing modules with a register dialog capable of receiving the modules thereby automatically bringing concealed portions of the dialog to the foreground taught by Li et al. to include the

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of Hemenway et al., in order to obtain markup interface for drop locations within a concealed dialog. One would have been motivated to make such a combination because a user-assisted method for indicating hidden locations that are capable of receiving selected modules would have been obtained, as taught by Hemenway et al.

Response to Arguments

6. Applicant's arguments filed 6/23/04, with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection necessitated by the amendment.

The newly applied references of Li et al. and Hemenway et al. (see rejections *supra*) were added solely to reject the newly added limitations presented in the amended and new claims.

Conclusion

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach similar automation equipment interfaces, drag-drop procedures and "bring to front" methods.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

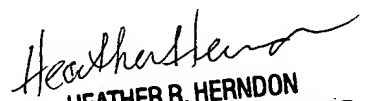
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sara M Hanne whose telephone number is (571) 272-4135. The examiner can normally be reached on M-F 7:30am-4:00pm, off on alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

smh


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